

# Nonmotorized Recreation and Transportation Trails Council

## DRAFT MINUTES

*April 10, 2019 11:30 a.m. – 1 p.m.*

*Telephone 888-327-8914, passcode 6829 265#*

### **1. Meeting was called to order** by Joel Patenaude.

#### **a. Roll Call for Attendance (11:30—11:35 a.m.)**

- i. Anne Murphy
- ii. Ben Popp
- iii. Joel Patenaude
- iv. Geoff Snudden
- v. Bill Hauda
- vi. Blake Theisen
- vii. Debbie Peterson
- viii. Rod Bartlow
- ix. David Phillips
- x. Staff: Kathryn Gehrke and Diane Milligan (Department of Natural Resources)
- xi. DOT: Jill Mortek Glenzinski

### **2. Approval/Discussion of Meeting Minutes from December 12, 2018 (11:35-11:40)**

Minor updates to wording and grammar, minutes approved

### **3. Committee Chair Reports (11:40-11:50)**

**a. Funding (Bill, Deb, Rod, Dave)** Discussion on Evers budget proposal to add back in emanate domain power. Talk on bipartisan bill being proposed to elevate the status of the Ice Age Trail and North Country Trail so they will be eligible to receive additional federal funding

**b. Outreach (Joel, Anne, Geoff)** Joel Patenaude mentioned he has posted a couple stories on Facebook about the above funding discussion.

**c. Education (Blake, Geoff)** Blake Theisen asks if there is content from today's meeting with Bike Fed that we could add as a post on Facebook.

**Additional:** Joel P. follows up on last meeting, Polk county decided to allow motorized use on Stower Seven Lakes State Trail. Burnett County also allowed more of Gandy Dancer to be motorized and

in both these occasions made the change within the county then informed DNR. Stower Seven Lakes Friends mentioned there could be litigation. Rod Bartlow mentions they should support the Friends of Stower through letter of support to the Friends Group. Joel P. mentions he will get in contact with the Friends to see where they are going and will report to the council. Jill M. mentions that there are ongoing discussions on how funding is used when non-motorized trails change to motorized. Jill M. will look to see if someone has more info on county changing use of trail. Kathryn G. states that she will bring more information on trail planning and changes of trail uses to the next meeting.

Dave P. mentions Kathy Peterson is a trail coordinator in the northern area and she should give us more information on when these things happen.

Diane M. explained that the DNR has an easement and MOU with Polk County for the Stower Seven Lakes State Trail which provides that the county shall manage and plan for the trail. DNR wrote the County a letter in November stating that the DNR didn't think its planning process conformed to the requirements in the MOU and DNR contacted the County again in January asking it to hold off on implementing the new plan and adding new uses until and unless they complete a more robust planning process. Diane M. states that DNR was not involved with the County's planning process. DNR plans for the trails it manages while the county plans for the trails it manages. If DNR thinks that a county violates its MOU with DNR, DNR can terminate the MOU and the easement that allows a county to manage a state trail.

Dave P. mentions that we shouldn't consider this as adding motorized use but rather eliminating other uses on the trail.

#### **4. Guest David Schlabowske, executive director of the Wisconsin Bike Fed (1:00-1:35)**

Bike fed met early with different members of DOT and were invited to be on the transition team to allow state to allow up to 50% on transportation alternative funds while other states use up to 80% on transportation and our neighbors Minnesota and Michigan used 100% of their transportation alternatives on trails. The solution is that we have to raise more money on transportation, so we can use more of this transportation alternative funds on trails. Bike Fed had very positive meeting with Evers transition team and secretary but of course they didn't give us more money. Trails caucus is a legislative caucus to grow support for trails in Wisconsin and run by the rails to trails.

Joel P. does trails caucus exist or trying to exist?

David S. it already exists

Discussion between David S. and Rod B. on the organization of the trail caucus and how to ask representatives to join the caucus, Republican member is           

David S. updating state statute to reflect modern ebikes, worked with external partners. Current statute says that ebikes are technically illegal. New statute does allow local trail managers to say they're not allowed. Hearing in assembly in 23<sup>rd</sup>. The statute defines types or classes of ebikes. Without consultation with me (David S.) the DNR did pass a rule with a 15mph speed limit for ebikes but not for other bikes which I think is odd because you can ride that fast on a normal bike.

Tomorrow I'm meeting with Secretary Cole and Brook W. and Friends of Wisconsin State Parks to discuss trail management on cooperative trails.

Nonmotorized users are not as organized as motorized meetings so we are working to get better organized and build relationships, since things move forward with those that are organized.

I think we do have a good relationship with current government in Wisconsin but that doesn't change the funding issue. Evers budget doesn't show additional funding for state trails or stewardship

Joel P. says he likes the statewide approach and taking lessons from those that are better organized than us is great

Rod B. will be meeting with Senator Stroebel's office tomorrow with broad council to talk about stewardship fund

#### **MOVED UP:5. Sauk Prairie Recreation Area litigation update from Bill Hauda (12:10-12:20)**

Bill H. mentions he sent out a memo, see below. Bill talks about how this was a robust process and DNR will have a public hearing opportunity when the plan comes back to the Board.

Joel P. there was a 72-page summary provided by the Conservation Alliance and the history of the Badger Area and how the plan was originally was focused on low impact and nonmotorized then dual sport motorcycle events were added in along with other "high impact" activities. Law firm's summary points out all environmental issues that they believe have still not been addressed.

The council provided written comments to the DNR and it adopted a resolution that went to DNR board supporting an alternative plan that was in line with low impact use of the property.

Joel P. talks about how he feels the council should be a bigger partner to the DNR then they have been in the past and talks about the language he proposed which will be discussed as the next item.

#### **6. Discussion of proposed NRTTC policy authorizing member to speak on behalf of council publicly and in legal proceedings (12:20-12:28)**

Bill H. I think the first part is OK but does not like the language saying that council members cannot be involved with legal proceeding without notification of the council president and a vote authorizing involvement. Joel P. mentions that this is only intended when you are speaking on behalf of the council and talks about how you run the risk of being a representative of a group you're a part of rather than your individual views. Not a disagreement that DNR should involve us and we should stand up to

Bill H. I think my issue is that we only meet quarterly

Joel P. we have done that in the past and we can schedule a special meeting to approve a resolution or approve other topics.

Dave P. said he will edit it and send it around and it will be on the next meeting for approval.

Bill H. and Joel P. agree that last sentence should be edited

Bill H. served an open records request on E-bikes to DNR because he felt DNR did not properly consult the council, Bill confirms it was done personally

## **7. DNR Report and Consultation: Kathryn Gehrke & Diane Milligan (12:30-1:45)**

**Sauk Prairie State Rec Area (12:30-1:00):** Diane mentions she is here for the consultation portion of the update. Has two comments on the process Bill described with respect to timing: DNR received the 72-page brief at the end of March and plans to prepare a response by late May. Our goal is to get on the Board's agenda in the Fall.

Stated she is here because the Alliance raised several concerns related to this council. She wants to talk about them with the Council.

A contested case hearing was held in January, during which the Sauk Prairie Conservation Alliance raised several concerns with the Master Plan. One concern alleged that the Department failed to adequately consult with this Council. The Department is in the process of preparing a post-hearing report and recommendations regarding this plan to the Board, and we would like to address any outstanding concerns the Council may have. We understand that the Council has taken the position that the bicycle and equestrian trails should not be used during by dual sport motorcycles during special events, and that the Council has advised the Department that it would prefer that the planning for the property aligned with a recommendation known as the Badger Oversight Management Commission's "Alternative 4."

Does the Council still take these positions?

Do you have other advice or thoughts about how this property or its trails should be managed?

As it is going back to the Board, we want to make sure that the council has provided all of the thoughts on the plan that they would like to share.

Joel P. I believe we stand by the Resolution: one of our biggest concerns is that we understood that the dual sport cycles would have limited use on the trails but don't think they have begun planning the trails on the property. DNR doesn't seem to have plan on what would happen if the motorcycle organizations damaged the trails and we were given the answer that the motorcycle groups would repair, regardless if they do or do not have training. Also, to mention the noise that would come along with the motorcycles.

Diane M. it was up to 50% of the trails on no more than 6 days per year, and it would only be allowed if a group requested a special event permit and those permits have requirements, including that they have to restore the property or pay a fee.

Bill H. my hesitation is the amount of time it takes to repair the trails.

Anne M. there is so much contamination at the site and when motorcycles tear up ground and trail more contamination might be exposed.

Diane M. asked: do you know about how the trails are typically built and how much material might be added to the ground surface?

Bill H.: I don't know if anything would be added.

Anne M.: tread on dual purpose bikes is aggressive and I agree with Bill that the tidy-up takes time.

Geoff S.: "tidy up" doesn't cut it with the amount of damage

Diane M.: some things that were mentioned in the plan are that the events would be canceled if ground is wet and I believe that speed limit is 25mph. The special events that would be considered aren't loop type events but pass through rally-type events.

Ben P.: we build a lot of xc ski and bike trails and trails are built very differently due to weight and there really is not a very compatible use.

Diane M. if construction is made for horses and mountain bikes is it OK for other sports?

Geoff S. the only way a trail works for motorcycles is if it is paved and I don't know how well that works for horses.

Ben P. my guess that the cost to build a trail that would be compatible for all uses would be extremely expensive

Diane M. are horse trails softer than mountain bike trails?

Anne M. natural base trail can cause stone bruises and damage; pavement is extremely dangerous to horses as it can be slippery. I have to agree that surface that is appropriate for motorized use is not appropriate for nonmotorized use.

Geoff S. you can see [the problems] on the Tuscobia Trail.

Ben P. in the North we see different uses and their speeds and how they approach each other.

Joel P. how the plan is written out there is a certain number of miles for each use and I think even taking out the motorized use there will be a lot of issues. I think the consensus here is that there isn't a single [surface that works for every use.]

Diane M. are there places where bikes and horses coexist?

Geoff S. no, not that I can think of.

Dave P. There are some that have wide trails and horses on one side and bikes on other.

Anne M. I think it can be done but takes a lot of work and consideration.

Diane M. I know I sprung this on you all, but I do want to get your feedback in time in order to incorporate it into the report. Do you need more time to organize your thoughts and respond?

Joel P. we can get this all together for you and welcome more opportunities to be involved.

Diane M. if council could be back to Diane formally by Memorial Day.

Kathryn offers to send the above notes to Joel P. and Joel with work with everyone to elaborate on the notes then send to Diane.

## **DNR Report Continued by Kathryn Gehrke (1:35 – 1:46)**

**Winter grooming at N Kettles** DNR is still working out a policy for Fat Bike grooming since there is a variety of equipment and trail standards for Fat Biking

**Maintenance** - Continuing to look at repairing rail-trail bridges that are in need. Most trails have emerging problems with aging bridges which require re-decking and re-finishing bridges.

Projects to repair flood damages on several trails in Douglas Co and trails in southwestern WI.

All damaged trails are being repaired or they have a repair plan which will be accomplished over the next 18-24 months

**Management** - In the process of updating Hillsboro Trail MOU with the city of Hillsboro, Juneau County and Vernon County.

Holding annual partnership meetings in northwest and northeast areas with county cooperators in April and May.

**Development** - Working with Buffalo County on a biking trail connection into MN at Winona. This trail will eventually extent the Great River State Trail northward. The project plans are completed, and the real estate acquisition is near final. Project is expected to go out for bids in May with construction expected to begin summer 2019.

**RTP** - Deadline for grant applications is May 1. Expecting to get our average of about 105 RTP grant applications. Cap this year is \$45,000.

**SCORP** is out now approved and public

## **Master Planning**

**Superior Coastal Plain, Northwest Sands and Northwest Lowlands Regional Plans** – these three regions located in the northwest part of the state were approved by NRB in February 2019.

**Blue Mound State Park Master Plan** - the department held the initial public kickoff meeting on March 12<sup>th</sup>. The purpose of the meeting was to let the public know the department was initiating the planning process, and to ask for feedback on what issues need to be addressed during the planning process. Over 300 people attended and participated in the small group discussions to identify issues and opportunities for the park. The public comment period closed on March 26, 2019 and the planning team is working on compiling comments received. We are in the early stages of the planning process and the team has not yet proposed any resource or recreation management. (Phil Rynish lead planner) There will be another comment period...Joel P. Will add BL mound to Sauk

**Northeast Sands Regional Plan** – the department anticipates posting the draft plan for public review and comment in May. We anticipate presenting for NRB approval in summer 2019. (Yoyi Steele lead planner)

Only minor non-motorized trail changes are proposed in this plan. A new primitive walking trail is proposed on the Pine-Popple Wild Rivers for scenic viewing of Breakwater Falls. An informal network of existing multi-use nonmotorized trails on the Potato Rapids Flowage Unit of Peshtigo River State Forest will be designated; the allowed trail uses will remain the same. A section of this multi-use trail system is proposed to be closed due to impacts to an archaeological site.

**Western Prairie Regional Plan** – the department initiated public involvement and the planning process in November 2018. The department’s planning team is considering resource and recreation management alternatives as they develop the draft regional plan. Early recreation considerations for several properties in the region include potential for developing mountain bike trails. However, the plan is still being written. The department anticipates presenting the draft plan for public review and comment in the summer 2019 and presenting for NRB approval yet in 2019. (Beth Kienbaum and Savannah Erzen)

**Southwest Savanna Regional Plan** - the department is in the pre-planning phase of this regional plan. We anticipate engaging the public in May 2019. (Savannah Erzen lead planner)

Many plans will be accepting comments before our next meeting so send...

#### **8. DOT Report: Grant program update, Jill Mrotek-Glenzinski (1:45-1:56)**

At transportation task force meeting there was a topic on bike and ped funding, it was a positive sign that it was even a topic. I sent out a few trainings, Bike Fed is leading and DOT is providing some funding, they are free so please attend. Bureau of transportation safety is working on training for pedestrian safety and Jill will send out when the information is final. There is a one-day course on law enforcement and bike enforcement. Transportation alternative funding solution will occur this fall and I will send out. Jill has been working on the ADA plans and focusing on developing curb ramps. Gov Bicycles Coordinating Council met and worked on bike economic impact and will share when available. Jill also sent out the Ebike language

#### **9. New business and recap of agenda items with goal for next meeting (1:56-2:00)**

Rob B. I would like to have face to face meeting, 2-3, since it is so difficult to get things done on phone.

Kathryn G. mentions that prior to setting up and talking with people on funding want to make sure that people are willing to travel

Members say that they are willing to travel

#### **10. Set next meeting**

Should we look at June or July in Stevens Point? Last two years we met in June. Wednesday, June 19<sup>th</sup> was proposed. Schmeekle Reserve was the proposed location.

Follow up on releasing minutes on Badger Prairie discussion and circulating the comments for additions. Dave is going to revise the language on the council advising other organizations. Joel

**11. Adjournment** Deb Peterson moved to adjourn, Dave second, motion passed.